

1 State of Arkansas
2 79th General Assembly
3 Regular Session, 1993
4 By: Representative Choate

H.J.R.

HOUSE JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REMOVE THE PROVISION THAT THE POWERS AND DUTIES OF THE OFFICE OF GOVERNOR DEVOLVE UPON THE LIEUTENANT GOVERNOR DURING THE GOVERNOR'S ABSENCE FROM THE STATE AND, LIKEWISE, UPON THE PRESIDENT OF THE SENATE DURING THE LIEUTENANT GOVERNOR'S ABSENCE FROM THE STATE OR UPON THE SPEAKER OF THE ASSEMBLY DURING THE ABSENCE OF THE GOVERNOR, THE LIEUTENANT GOVERNOR, AND THE PRESIDENT OF THE SENATE

Subtitle

TO REMOVE THE PROVISION THAT UPON THE GOVERNOR'S ABSENCE FROM THE STATE THE LIEUTENANT GOVERNOR BECOMES ACTING GOVERNOR

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is hereby proposed as an amendment to the Constitution of the state of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at such election, adopt such amendment, the same shall become a part of the Constitution of the state of Arkansas, to wit:

"SECTION 1. Sections 4 and 5 of Amendment 6 to the Constitution of Arkansas are hereby amended to read as follows:

Section 4. In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, or resignation, the powers and duties of the office, shall devolve upon the Lieutenant Governor for the residue of the term or until the disability shall cease. But when the Governor shall, with the consent of the legislature, be out of the State, in time of war, at the head of a military force thereof, he shall continue commander-in-chief of all the military force of the State.

1 *Section 5. The Lieutenant Governor shall possess the same qualifications of eligibility for the office as the Governor. He shall be*
2 *President of the Senate, but shall have only a casting vote therein in case of a tie vote. If during a vacancy of the office of Governor, the*
3 *Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, the President of the*
4 *Senate shall act as Governor until the vacancy be filled or the disability shall cease; and if the President of the Senate for any of the above*
5 *causes shall become incapable of performing the duties pertaining to the office of Governor, the Speaker of the Assembly shall act as Governor*
6 *until the vacancy be filled or the disability shall cease. _"*

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